

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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UNITED STATES OF AMERICA,	)	
	)	Case No. 17-cr-00134 (WMW-DTS)
	)	
Plaintiff,	)	<b>DEFENDANT'S MOTION FOR</b>
	)	<b>DISCOVERY</b>
v.	)	
	)	
John Kelsey Gammell,	)	
	)	
Defendant.	)	

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Defendant John Kelsey Gammell moves for an order directing the government to provide discovery of the matters listed below and to order that such discovery be made immediately.

1. Statements of the Defendant

Pursuant to Fed. R. Crim. P. 16(a), Mr. Gammell requests that the Court order the government to provide Mr. Gammell with:

(a) Any written or recorded statements made by Mr. Gammell, the existence of which is known, or by the exercise of due diligence may become known to the attorney for the government;

(b) Any written record containing a reference to or the substance of any relevant oral statement made by Mr. Gammell, whether before or after arrest, to any person known to Mr. Gammell to be a government agent; and

(c) A written statement of the substance of any relevant oral statement made by Mr. Gammell which the government intends to use at trial.

2. Documents and Tangible Objects

Pursuant to Fed. R. Crim. P. 16(a)(1)(E), Mr. Gammell requests the discovery of books, papers, documents, data, photographs, tangible objects, buildings, or places which are in the

possession, custody, or control of the government which (a) are material to the preparation of Mr. Gammell's defense; or (b) are intended for use by the government as evidence in its case-in-chief at trial; or (c) were obtained from or belong to Mr. Gammell. Mr. Gammell also requests that the government provide all warrants, applications, supporting affidavits, testimony, returns, and inventories. Mr. Gammell requests that the government permit Mr. Gammell, counsel, and any experts to inspect any physical evidence or property and require the government to assist defense efforts to gain access to such physical evidence or property by advising the agency in possession of the items that inspection is permitted by court order. Further, Mr. Gammell requests the preservation of all evidence until the case is resolved.

3. Reports of Examinations and Tests

Pursuant to Fed. R. Crim. P. 16(a)(1)(F), Mr. Gammell requests discovery of any results or reports of physical or mental examinations, or of scientific tests or experiments material to the case which are known to, or by the exercise of due diligence may become known to, the government. Mr. Gammell requests that the government state whether an identification procedure took place and the results of that procedure.

4. Expert Witnesses

Pursuant to Fed. R. Crim. P. 16(a)(1)(G), Mr. Gammell requests discovery of a written summary of testimony the government intends to use under Fed. R. Evid. 702, 703, or 705, including a description of the witness opinions, the bases and the reason therefor, and the witnesses' qualifications.

5. Criminal Record of Defendant

Pursuant to Fed. R. Crim. P. 16(a)(1)(D), Mr. Gammell requests the government to provide him with a copy of his criminal record.

Dated: August 18, 2017

By s/Rachel K. Paulose

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